United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge			Wayne R.	Andersen	Sitting Judge if Other than Assigned Judge	Martin C. A	Ashman	
CASE NUMBER			00 C	1925	DATE	3/15/20	001	
CASE TITLE				Anthony Cotton vs. Michael Sheahan				
[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]								
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(2)		Brief in support of motion due						
(3)		Answer brief to motion due Reply to answer brief due						
(4)		Ruling/Hearing on set for at						
(5)		Status hearing[held/continued to] [set for/re-set for] on set for at						
(6)		Pretrial conference[held/continued to] [set for/re-set for] on set for at						
(7)		Trial[set for/re-set for] onat						
(8)		[Bench/Jury trial] [Hearing] held/continued to at						
(9)		This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to] ☐ FRCP4(m) ☐ General Rule 21 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).						
(10)	a volum	[Other docket entry] Report and recommendation recommending that plaintiff's oral motion for sluntary dismissal without prejudice be granted is hereby entered of record. All matters relating to the tral of this action having been resolved, the case is returned to the assigned judge.						
(11)		[For fu	rther detail see orde	er attached to the or	iginal minute order.]		es	
		_	dvised in open court.			2	Document Number	
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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

ANTHONY	COTTON,)
	Plaintiff,) Case No. 00 C 1925
v.) Judge Wayne R. Andersen
MICHAEL	SHEAHAN,) Magistrate Judge) Martin C. Ashman
	Defendant.	

REPORT AND RECOMMENDATION

MAR 1 6 2009

This matter was referred to this Court for, among others, all nondispositive pretrial motions. On November 20, 2000, after several status hearings were held where plaintiff failed to attend, after notice mailed to him, this Court entered an order noting that plaintiff's motion to proceed in forma pauperis was denied by Judge Wayne Andersen on May 9, 2000 as was his motion to reconsider on August 11, 2000 and that the court docket shows no receipt of any filing fees.

A status hearing was held on December 12, 2000, at which time plaintiff appeared and was additionally admonished that his failure to obtain or even attempt to obtain service of summons rendered the continued vitality of his case questionable and strongly advised plaintiff to obtain a lawyer. Since that time plaintiff, after requesting more time, finally appeared on March 15, 2001 and orally moved the court for a voluntary dismissal of this case. Plaintiff had been receiving advice of counsel prior to and on March 15, 2001, although his attorney did

not file an appearance. The defendant has yet to be served in this case.

Dated: March 15, 2001.

This Court therefore recommends that plaintiff's oral motion for a voluntary dismissal without prejudice be granted.

MARTIN C. ASHMAN

United States Magistrate Judge

Written objections to any finding of fact, conclusion of law, or the recommendation for disposition of this matter must be filed with the Honorable Wayne R. Andersen within ten (10) days after service of this Report and Recommendation. See FED. R. CIV. P. 72(b). Failure to object will constitute a waiver of objections on appeal.

Copies have been mailed to:

ANTHONY COTTON 1212 South Michigan Avenue Suite 210 Chicago, IL 60604

Pro Se Plaintiff